

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 21-cr-20087

Hon. Matthew F. Leitman

v.

RASHIMEIR C. STANLEY,

Defendant.

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**ORDER DENYING DEFENDANT’S MOTION TO RECEIVE  
CREDIT FOR HOME INCARCERATION (ECF No. 29)**

On October 7, 2021, this Court sentenced Defendant Rashimeir C. Stanley to 27 months incarceration. Prior to sentencing, Stanley was released on home detention while his case was pending. (*See* Order, ECF No. 13.) Stanley has now filed a motion seeking credit toward his term of incarceration for this time spent on home detention. (*See* Mot., ECF No. 29.) The Court **DENIES** Stanley’s motion because he is not entitled to credit for his time spent in home detention.

Under 18 U.S.C. § 3585(b), criminal defendants are entitled to credit toward their term of imprisonment for time “spent in official detention prior to the date the sentence commences [...] as a result of the offense for which the sentence was imposed[.]” As the Sixth Circuit has held, “official detention” means “physical incarceration,” and it does not include home detention like that to which Stanley was released prior to his sentencing. *United States v. Becak*, 954 F.2d 386 (1992)

(holding that home confinement does not constitute “official detention” under Section 3585(b)). Accordingly, Stanley is not entitled to credit for his time spent on home detention, and his motion (ECF No. 29) is therefore **DENIED**.

**IT IS SO ORDERED.**

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: May 19, 2022

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on May 19, 2022, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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